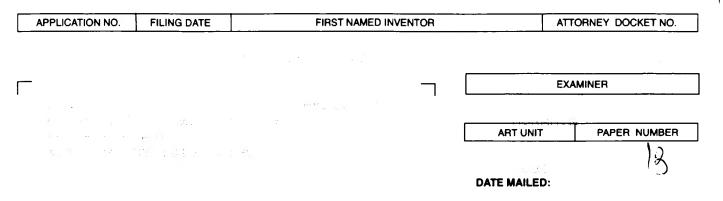


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• •		Application No.	Applicant(s)
	~	09/265,606	ZIMMERMANN ET AL.
Office Action Summary		Examiner	Art Unit
		Marjorie Moran	1631
 Period fo	The MAILING DATE of this communication	·	h the correspondence address
A SHO THE N - Exten after i - If the - If NO - Failur - Any re	DRTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICATION of time may be available under the provisions of 37 SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) data per to the provision of the second for reply is specified above, the maximum statutor to to reply within the set or extended period for reply will, the set of extended period for reply will be set or extended period for reply will b	FION. CFR 1 136 (a) In no event however may a stion. ys, a reply within the statutory minimum of thir y period will apply and will expire SIX (6) MON by statute cause the application to become Af	reply be timely filed ty (30) days will be considered timely NTHS from the mailing date of this communication BANDONED (35 U S C § 133)
1)	Responsive to communication(s) filed of	on <u>23 February 2001</u>	
2a)⊡		This action is non-final.	
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.		
Dispositi	on of Claims		
4)	Claim(s) 5 and 16-19 is/are pending in	the application.	
	4a) Of the above claim(s) is/are w	vithdrawn from consideration.	
5)	Claim(s) is/are allowed.		
6)[-]	Claim(s) 5,16-19 is/are rejected.		
7)	Claim(s) is/are objected to.		
8)	Claims are subject to restriction	and/or election requirement.	
Applicati	on Papers		
9)	The specification is objected to by the E	xaminer.	
10)	The drawing(s) filed on is/are obj	ected to by the Examiner.	
11)	The proposed drawing correction filed of	n is: a) approved b)	disapproved.
12)	The oath or declaration is objected to by	y the Examiner.	
Priority u	ınder 35 U.S.C. § 119		
13)	Acknowledgment is made of a claim for	foreign priority under 35 U.S.C.	§ 119(a)-(d) or (f).
a)[☐ All b)☐ Some * c)☐ None of:		
	1. Certified copies of the priority doc	cuments have been received.	
	2. Certified copies of the priority doc	cuments have been received in A	Application No
* 0	3. Copies of the certified copies of t application from the Internation See the attached detailed Office action for	onal Bureau (PCT Rule 17.2(a)).	
	Acknowledgement is made of a claim for		
Attachmen	**(a)		
Attachmen		18\ Intervie	w Summary (PTO-413) Paper No(s)
16) 🔲 Not	ice of References Cited (PTO-892) ice of Draftsperson's Patent Drawing Review (PTC irmation Disclosure Statement(s) (PTO-1449) Pap	0-948) 19) Notice	of Informal Patent Application (PTO-152)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Continued Prosecution Application

The request filed on 2/23/01 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/256,606 is acceptable and a CPA has been established. An action on the CPA follows.

No new amendments or arguments were entered with the request for CPA, nor have any new amendments or arguments been received by the examiner at the time of mailing of this office action. All previously filed amendments have been entered and all previous arguments been addressed in the office actions of 8/25/00 and 2/21/01. As applicant has not entered any amendments or arguments to overcome the rejections currently of record, the rejections of claims 5 and 16-19 under 35 USC 101 and 112 are maintained.

Conclusion

Claims 5 and 16-19 are again rejected.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

Art Unit: 1631

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marjorie A. Moran whose telephone number is (703) 305-2363. The examiner can normally be reached on Monday to Friday, 7:30 am to 4 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on (703) 308-4028. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4556 for regular communications and (703) 308-4556 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to a Patent Analyst, Tina Plunkett, whose telephone Morinno t. Aller number is (703) 305-3524.

Marjorie A. Moran March 22, 2001